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Attorney Docket No.: 3399P040

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application for:

Ryan J. Nobrega et al.

Serial No.: 09/759,627

Filing Date: January 12, 2001

For: METHOD AND APPARATUS FOR
PERFORMING A CREDIT BASED
TRANSACTION BETWEEN A USER
OF A WIRELESS
COMMUNICATIONS DEVICE AND A
PROVIDER OF A PRODUCT OR
SERVICE

Examiner: Fults, Richard C.

Group Art Unit: 3628

<u>Certificate of Transmission</u>	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on:	
<u>November 10, 2004</u>	
(Date of Transmission)	
<u>Julie Arango</u>	(Printed name)
<u>Julie Arango</u>	(Signature)
	<u>11/10/04</u>
	(Date)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed on August 11, 2004, please enter the following amendment and consider the remarks below:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (408) 720-8300

INTELLECTUAL PROPERTY LAW
12400 WILSHIRE BOULEVARD, 7TH FLOOR
LOS ANGELES, CA 90025

FACSIMILE: (408) 720-8383

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CENTRAL FAX CENTER****NOV 10 2004****FACSIMILE COVER SHEET**

Deliver to: Fults, Richard C., USPTO Art Group: 3628
 Facsimile No.: 703-872-9306 Date: November 10, 2004

From: Jordan M. Becker, Reg. No. 39,602

Our Docket No.: 3399P040 Number of pages 28 including this sheet.

Application No.: 09/759,627 Filing Date: 1/12/2001

Docket Due Date(s): 11/11/2004

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment: Response (25 pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief (in triplicate) (____ pgs)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application: _____ (____ pgs) w/cover & abstract	<input type="checkbox"/> Petition for: _____
<input type="checkbox"/> Assignment & Cover Sheet (____ pgs)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input checked="" type="checkbox"/> Certificate of Facsimile _____	<input type="checkbox"/> Reply Brief (____ pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA (____ pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: ____ sheets, ____ figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: _____	<input type="checkbox"/> Response to Written Opinion (____ pgs)
<input checked="" type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 (____ pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> Other _____	<input type="checkbox"/> Transmittal Letter

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

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Julie Arango 11/10/2004
 Julie Arango Date

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FEE TRANSMITTAL for FY 2004 <small>Effective 10/01/2004. Patent fees are subject to annual revision.</small>		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Application Number 09/759,627	Filing Date January 12, 2001
TOTAL AMOUNT OF PAYMENT (\$) 0.00		First Named Inventor Ryan J. Nobrega	Examiner Name Fults, Richard C.
		Art Unit 3628	Attorney Docket No. 3399P040

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)																																																																																																																																																																																		
<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input checked="" type="checkbox"/> None </div> <div> <input type="checkbox"/> Deposit Account </div> </div> <div style="margin-top: 10px;"> Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP </div> <div style="margin-top: 10px;"> The Commissioner is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.10, 1.17, 1.18 and 1.20. <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account </div>	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> 3. ADDITIONAL FEES </div> <table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th colspan="2" style="text-align: center;">Large Entity</th> <th colspan="2" style="text-align: center;">Small Entity</th> <th rowspan="2" style="text-align: left;">Fee Description</th> <th rowspan="2" style="text-align: center;">Fee Paid</th> </tr> <tr> <th style="text-align: center;">Fee Code</th> <th style="text-align: center;">Fee (\$)</th> <th style="text-align: center;">Fee Code</th> <th style="text-align: center;">Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>60</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>60</td><td>2052</td><td>28</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>2053</td><td>130</td><td>2053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>430</td><td>2252</td><td>215</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>980</td><td>2253</td><td>490</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,530</td><td>2254</td><td>765</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,080</td><td>2255</td><td>1,040</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1404</td><td>340</td><td>2401</td><td>170</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>340</td><td>2402</td><td>170</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>300</td><td>2403</td><td>150</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>2451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,370</td><td>2453</td><td>685</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,370</td><td>2501</td><td>685</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>490</td><td>2502</td><td>245</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>680</td><td>2503</td><td>330</td><td>Plant issue fee</td><td></td></tr> <tr><td>1450</td><td>130</td><td>2460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>790</td><td>1809</td><td>395</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>790</td><td>2810</td><td>395</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table> <div style="margin-top: 10px;"> Other fee (specify) _____ </div> <div style="text-align: right; margin-top: 10px;"> SUBTOTAL (3) (\$) _____ </div>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	60	Surcharge - late filing fee or oath		1052	60	2052	28	Surcharge - late provisional filing fee or cover sheet		2053	130	2053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	430	2252	215	Extension for reply within second month		1253	980	2253	490	Extension for reply within third month		1254	1,530	2254	765	Extension for reply within fourth month		1255	2,080	2255	1,040	Extension for reply within fifth month		1404	340	2401	170	Notice of Appeal		1402	340	2402	170	Filing a brief in support of an appeal		1403	300	2403	150	Request for oral hearing		1451	1,510	2451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,370	2453	685	Petition to revive - unintentional		1501	1,370	2501	685	Utility issue fee (or reissue)		1502	490	2502	245	Design issue fee		1503	680	2503	330	Plant issue fee		1450	130	2460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))		1801	790	2801	395	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
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*or number previously paid, if greater. For Reissues, see below

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type) Jordan M. Becker	Registration No. (Attorney/Agent) 39,602	Telephone (408) 720-8300	Date 11/10/04
Signature 			

Quoted on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (w/1) 02/10/2004.
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450